

The Hon. John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BAYRON EBERTO GARCIA-PEREZ,

Defendant.

NO. CR21-0174-JCC

[PROPOSED]

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for a Final Order of Forfeiture (Dkt. No. 449) for the following property:

1. \$91,000 in U.S. Currency;
2. One Colt, model 1911A1, .45 caliber handgun, bearing serial number N2731649; and
3. One Sig Sauer, model P238, .380 caliber handgun, bearing serial number 27B019762, and any associated ammunition.

The Court, having reviewed the United States' motion, as well as the other pleadings and papers filed in this matter, HEREBY FINDS that entry of a Final Order of Forfeiture is appropriate for the following reasons:

1. In the Plea Agreement that Defendant Garcia-Perez entered on September 14, 2022, he agreed to forfeit his interest in the above-identified property as property constituting or traceable to proceeds or as property that facilitated the Defendant's Conspiracy to Distribute Controlled Substances offense, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B) and 846, to which he entered a plea of guilty (Dkt. No. 354);
2. On October 31, 2022, the Court entered a Preliminary Order of Forfeiture, finding the above-identified property forfeitable pursuant to 21 U.S.C. § 853, and forfeiting to the United States Defendant Garcia-Perez's interest in it (Dkt. No. 378);
3. Thereafter, the United States published notice of the pending forfeiture as required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure ("Fed. R. Crim. P.") 32.2(b)(6)(C) (Dkt. No. 402), and provided direct notice to one identified potential claimant (Declaration of Assistant U.S. Attorney Krista K. Bush in Support of Motion for a Final Order of Forfeiture, ¶ 2, Exhibit A); and,
4. The time for filing third-party petitions has expired and none were filed.

NOW, THEREFORE, THE COURT ORDERS:

1. No right, title, or interest in the above-listed property exists in any party other than the United States;
2. The property is fully and finally condemned and forfeited, in its entirety, to the United States;
3. The United States Department of Justice, the Drug Enforcement Administration, and/or their representatives, are authorized to dispose of the property in accordance with the law; and

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1 4. The Court will retain jurisdiction for the purpose of enforcing the Final
2 Order of Forfeiture as necessary pursuant to Federal Rule of Criminal Procedure 32.2(e)

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4 IT IS SO ORDERED.

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6 DATED this 3rd day of March 2023.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE

Presented by:

s/Krista K. Bush

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